



WAIVER OF SERVICE OF SUMMONS

TO: United States Marshal's Service

I acknowledge receipt of your request that I waive service of a summons in the action of Dunmire vs. DiPasqua, et al. which is case number 05-64E in the United States District Court for the Western District of Pennsylvania. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after JUN 22 2005 (date, request was sent), or within 90 days after that date if the request was sent outside the United States.

Rodney M. Torbic  
SIGNATURE

7/26/05

Printed/typed name: Rodney M. Torbic

Title if any: Senior Deputy Attorney General

Counsel For: Joseph DiPasqua

05-64E

DEPASCUAL